

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1-4, 6, 9 and 11 are rejected under 35 U.S.C. 102(b) over the German patent document DE 29 06 123.

Claims 5 and 7 are rejected under 35 U.S.C. 103(a) over the German document in view of the U.S. patent to Rick, et al.

Claims 8 and 10 are rejected under 35 U.S.C. 103(a) over the German patent document in view of the U.S. patent to Reich, et al.

After carefully considering the Examiner's grounds for the rejection of the claims over the art, applicant canceled claim 2 and amended claims 1 and 11, the broadest claims on file.

It is respectfully submitted that claims 1 and 11 clearly and patentably distinguish the present invention from the prior art applied by the Examiner against the original claims.

As defined now in the independent claims, the dust-collecting receptacle in accordance with the present invention having a dust collecting chamber, an inlet fitting with a connecting opening fittable onto a dust output fitting and a mouth, an exhaust opening, and a filter situated between the dust-collecting chamber and the exhaust opening, is designed so that the inlet fitting 21 extends in the lower region of the dust-collecting chamber 17 under the dust collecting chamber 17, and the mouth 23 of the inlet fitting 21 is situated close to the rear delimiting wall 152 of the dust-collecting chamber 17, which delimiting wall is located at the end oriented away from the connecting opening 22 of the inlet fitting 21.

Turning now to the references applied by the Examiner, and in particular to the German patent document, it can be seen that this reference discloses a filter for a pressurized air-and electric tools. Figure 10 cited by the Examiner in his Office Action illustrate a dust collecting receptacle. The dust collecting receptacle shown in Figure 10 has a dust collecting chamber 158 (similar to the dust collecting chamber 17 of the inventive dust-collecting receptacle), an inlet fitting 150 (similar to the inlet fitting 21 of the dust-collecting receptacle of the applicant's invention), and the mouth provided on the top of the baffle 153 (similar to the mouth 23 of the dust-collecting receptacle of the applicant's invention).

In accordance with the present invention as defined in the amended claim 1, the inlet fitting 21 extends in the lower region of the dust-collecting chamber 17 under the dust collecting chamber.

In contrast, in the dust-collecting receptacle disclosed in the German patent document the inlet fitting 150 is not located in the lower region of the dust-collecting chamber 158 under the dust collecting chamber, but instead the inlet fitting 150 and the dust-collecting chamber 158 of the dust-collecting receptacle disclosed in the reference are located side-by-side relative to one another.

This constitutes an important difference between the dust-collecting receptacle of the present invention as the dust-collecting receptacle shown in Figure 10 of the German reference.

In accordance with the applicant's invention as defined in claim 1, in the inventive dust-collecting receptacle the mouth 23 of the inlet fitting 21 is situated close to the rear delimiting wall 152 of the dust-collecting chamber 17, which delimiting wall 152 is located at the end oriented away from the connecting opening 22 of the inlet fitting 21.

In contrast, in the dust-collecting receptacle disclosed in the German reference, the mouth located at the top of the baffle 152, of the

inlet fitting 150, is situated at a front delimiting wall of the dust collecting chamber 155, which front delimiting wall is located at the end oriented toward the connecting opening of the inlet fitting 150.

This constitutes another important difference between the dust collecting receptacle of the present invention and the dust collecting receptacle disclosed in the German reference.

The above mentioned new features of the present invention are not disclosed in this reference. They define structural features which are completely different from the structural features of the device disclosed in the reference.

It is therefore believed that claims 1 and 11 as now amended should be considered as clearly and patentably distinguishing the present invention from the prior art represented by the German reference, and therefore the anticipation rejection based on this reference should be considered as not tenable and should be withdrawn.

The other references which were applied in combination with the German reference have been also thoroughly considered. Since they do not teach the new features of the present invention as now defined in claims 1 and 11, any combination of the references would not lead to the

applicant's invention as defined in these claims, since any construction produced from such a combination would not include the new features of the present invention and would be completely different from the applicant's invention.

It is therefore believed that the rejections of some dependent claims based on the combination of the references should also be considered as not tenable with respect to claims 1 and 11 and should be withdrawn as well.

Claims 1 and 11 should be considered as patentably distinguishing over the art and should be allowed.

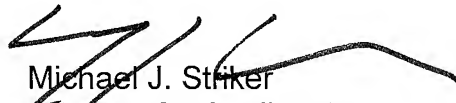
As for the dependent claims, these claims depend on claim 1, they share its allowable features, and therefore it is respectfully submitted that they should be allowed as well.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance,

then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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